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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/823,920

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Eran Steinberg

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49278

7590

12/19/2005

EXAMINER

DESIRE, GREGORY M

IPAC

111 Corning Road

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Cary, NC 27511

ART UNIT

PAPER NUMBER

2627

DATE MAILED: 12/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/823,920	Applicant(s) STEINBERG, ERAN	
	Examiner Gregory M. Desire	Art Unit 2627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-17,21-23,25-37 and 41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-17,21-23,25-37 and 41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communication filed 9/12/05.

Response to Amendment

2. Examiner acknowledges the cancellation of claims 3, 18-20, 24 and 38-40.

Examiner acknowledges the amendment in the claims. The examiner withdraws the 35 USC 112, second paragraph.

Response to Arguments

3. Applicant's arguments with respect to the pending claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

4. Claims 34-35 are objected to because of the following informalities: Claim 34 depends on a cancelled claim. Claim 35 depends on claims 34. The examiner is treating claims 34 and 35 as cancelled claims. Appropriate correction is required.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-2, 4, 6-7, 10 and 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre et al (6,587,839) in view of Schaeffer et al (6,701,302) and further view of Haeberli (6,587,596).

Regarding claim 1 McIntyre discloses,

Developing photographic film to produce a developed film (note col. 6 lines 9-10, lines cite processed film in film processing section);

Scanning said developed film to create digital image data (note col. 6 lines 10-11, processed film is scanned at scanning section to produce a digital image file); and

Transmitting said digital image through a telephone network visually and displaying an image (note col. 6 lines 16-17 and lines 30-33, attachment/visual display including an image is transmitted by email via internet (telephone network)) and transmitting to a first portable device a message notifying a consumer that a print of the image can be ordered or the print is ready for pick-up (note col. 6 lines 25-27, retailer sends a message to a consumer via email with attachment notifying image is ready for pickup).

McIntyre does not disclose expressly a wireless portable device that receives said transmitted email. Schaeffer et al discloses receiving a message by email on a cellular phone (note col. 2 line 50-55). McIntyre and Schaeffer are combinable because they are from the same field of endeavor. Therefore, it would have obvious to a person of ordinary skill in the art at the time of the invention was made to receive an email on a wireless portable device such as cellular phone as disclosed in Schaeffer in the system of McIntyre. Receiving email messages immediately (note Schaeffer col. 3 lines 9-10)

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would have been a highly desirable feature when prints are being ordered due to human anticipation and Schaeffer recognizes receiving a message and viewing email straight away would be expected when the cellular phone of Schaeffer is included in McIntyre.

McIntyre and Schaeffer do not clearly disclose users performing image adjusting and using image adjustment to process the print order. Haeberli discloses performing image adjustment and using image adjustments to process print orders (note col. 9 line 25 – col. 10 line 40, user edits image to process print order). McIntyre, Schaeffer and Haeberli are combinable because they disclose photographic prints. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include user adjustments to process print orders in the system of McIntyre and Schaeffer as disclosed by Haeberli. The suggestion/motivation for doing so would have been allowing user more interaction when editing (note col. 3 lines 20-25). Therefore, it would have been obvious to combine McIntyre, Schaeffer and Haeberli to obtain the invention as specified in the above claim.

Regarding claim 2 McIntyre, Schaeffer and Haeberli discloses,

Displaying a visual image of said digital image data on said visual display screen (note Schaeffer col. 3 lines 34-35, the wireless portable device (cellular phone) is equipped with a display screen for viewing image data).

Regarding claim 4 McIntyre, Schaeffer and Haeberli discloses,

Wherein said device is a cell phone (note Schaeffer col. 2 lines 50-55 wireless portable device for use is a cellular phone).

Regarding claim 6 McIntyre, Schaeffer and Haeberli discloses,

McIntyre discloses sending digital prints to cell phone. It is well known cell phone images are low-resolution images. However, McIntyre does not disclose expressly that digital prints transmitted are low-resolution image data. Schaeffer discloses receiving print index, thumbnails that are low-resolution images (note Schaeffer col. 3 lines 19-22). At the time of the invention, it would have obvious to a person of ordinary skill in the art to send low- resolution image to the cell phone in the system of McIntyre as disclosed by Schaeffer. Producing print index supplied with photographic prints (note Schaeffer col. 3 line 22) would have been highly desirable feature in photo processing due to its plurality of images for selection and Schaeffer recognizes that producing print index would be expected when low-resolution images of Schaeffer is included in McIntyre.

Regarding claim 7 McIntyre, Schaeffer and Haeberli discloses,

McIntyre and Schaeffer in the preferred embodiment do not disclose expressly wherein said digital image data is high-resolution image data. However a modified form of McIntyre discloses digital image is high-resolution data (note col. 8 lines 46-47, consumer has the option to receive high resolution image). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to receive high-

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resolution image data in the system of McIntyre and Schaeffer as disclosed in McIntyre modified. A customer printing an image from home (note col. 8 lines 48-49), would have been highly desirable feature in the field of photography due to its clarity functions and McIntyre modified recognizes printing an image from home would be expected when the customer receives high-resolution image of McIntyre modified is substituted in McIntyre and Schaeffer.

Regarding claim 10 McIntyre, Schaeffer and Haeberli discloses,

Digitally processing said digital image data subsequent to reception by said cell phone (note McIntyre fig. 1 block 30 and 20, and col. 4 lines 1-5, 18-28 and 44-49, photo processing lab process image data, this is all done before digital image is transmitted within photo processing lab scanned image (34) is stored in computer (46) for further processing).

Regarding claims 13 McIntyre, Schaeffer and Haeberli discloses,

Wherein said computer may have programmed therein billing information of said customer (note McIntyre col. 4 lines 55-57 and col. 5 lines 8-12, 24-25, customer credit card information is provided and billing is done by a computer, thus computer may have programmed billing information of said customer).

Regarding claim 14 McIntyre, Schaeffer and Haeberli discloses,

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Placing an order for a print corresponding to an image received on said cell phone visual display (note Schaeffer, col. 3 lines 13-15, 27-28, col. 4 lines 5-10 and 39-40, user instructs image to print based on his instruction based on viewed image from the cell phone).

Regarding claim 15 McIntyre, Schaeffer and Haeberli discloses,

Automatically adding a fee for said prints to a phone account of said cell phone user (note Schaeffer col. 4 line 39-43, user making an order is charged a fee which is put on a the telephone bill).

Regarding claim 16 McIntyre, Schaeffer and Haeberli discloses,

Placing an interactive display on said visual display screen allowing a user to interact with said display (note Schaeffer col. 3 lines 27-30 and col. 4 lines 65-67, the applicant is broad on how an interactive display is placed on a screen, the examiner interpret a cell phone interacting with the user to read on the claims, thus, a user reading, viewing and sending messages from the information on the display screen, as the user interacting with a display).

Regarding claim 17 McIntyre, Schaeffer and Haeberli discloses,

Wherein said interactive display provides said user with the ability to order prints of said image via said cellular phone (note Schaeffer, col. 3 lines 13-15, 27-28, col. 4

lines 5-10 and 39-40, user instructs (orders) image to print based on his interaction with display functions from the cell phone).

7. Claims 21-23, 26-27, 30 and 36-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre, Schaeffer and Haeberli.

Regarding claim 21 McIntyre discloses,

Uploading first digital image data to photographic service facility (note col. 4 lines 4-5 and col. 7 lines 58-64, uploading images are forward to photographic service facility (photofinishing lab 30));

Transmitting second digital image data through a telephone network (note McIntyre fig. 1 col. 4 lines 4-14, lines 26-30, 46-50, col. 7 lines 59-60 and col. 8 lines 45-50), photofinishing lab processes digital images, processed digital image is stored and transmitted through the internet, examiner interpret process image stored by photofinishing lab 30 as a second image) to a device capable of communicating and equipped with a visual display screen for visual display of an image (note col. 7 lines 53-56 and 61-62 cameras digital image goes is transmitted through internet (telephone network) for viewing by a display screen); and transmitting to said device a message notifying a consumer that a print of the image can be ordered or the print is ready for pickup (note col. 8 lines 25-28 and fig. 7a shows transmitted message notifying a consumer that a print is ready for pickup)

McIntyre does not disclose expressly a wireless portable device that receives said transmitted message. Schaeffer et al discloses receiving a message on a wireless

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portable device (note col. 2 line 50-55, lines cite wireless device as portable device or cell phones). McIntyre and Schaeffer are combinable because they are from the same field of endeavor. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to receive a message on a wireless portable device as disclosed in Schaeffer in system of McIntyre. Receiving messages immediately (note Schaeffer col. 3 lines 9-10) would have been a desirable feature when prints are being ordered due to human anticipation and Schaeffer recognizes receiving a message and viewing straight away would be expected when the cellular phone of Schaeffer is included in McIntyre.

McIntyre and Schaeffer do not clearly disclose users performing image adjusting and using image adjustment to process the print order. Haeberli discloses performing image adjustment and using image adjustments to process print orders (note col. 9 line 25 – col. 10 line 40, user edits image to process print order). McIntyre, Schaeffer and Haeberli are combinable because they disclose photographic prints. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include user adjustments to process print orders in the system of McIntyre and Schaeffer as disclosed by Haeberli. The suggestion/motivation for doing so would have been allowing user more interaction when editing (note col. 3 lines 20-25). Therefore, it would have been obvious to combine McIntyre, Schaeffer and Haeberli to obtain the invention as specified in the above claim.

Regarding claim 22 McIntyre, Schaeffer and Haeberli discloses,

Wherein said second image data is a copy of said first image (note McIntyre fig. 1, 30 and col. 4 lines 24-28, uploaded forwarded to photofinishing lab is processed and stored, examiner interprets the stored processed camera digital image a copy of the image from the camera).

Regarding claim 23 McIntyre, Schaeffer and Haeberli discloses,

Displaying a visual image of said second digital image on said visual display screen (note Schaeffer col. 3 lines 34-35, the wireless portable device is equipped with a display screen for viewing image data).

Regarding claim 26 McIntyre, Schaeffer and Haeberli discloses,

McIntyre discloses digital image. It is well known cell phone images are low-resolution images. However, McIntyre does not disclose expressly that digital prints transmitted are low-resolution image data. Schaeffer discloses receive print index, thumbnails that are low-resolution images (note Schaeffer col. 3 lines 19-22). At the time of the invention, it would have obvious to a person of ordinary skill in the art to send low-resolution image to the cell phone in the system of McIntyre as disclosed by Schaeffer. Producing print index supplied with photographic prints (note Schaeffer col. 3 line 22) would have been highly desirable feature in photo processing due to its plurality of images for selection and Schaeffer recognizes that producing print index would be expected when low-resolution images of Schaeffer is included in McIntyre.

Regarding claim 27 McIntyre, Schaeffer and Haeberli discloses,

McIntyre and Schaeffer in the preferred embodiment do not disclose expressly wherein said digital image data is high-resolution image data. However a modified form of McIntyre discloses digital image is high-resolution data (note col. 8 lines 46-47, consumer has the option to receive high resolution image). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to receive high-resolution image data in the system of McIntyre and Schaeffer as disclosed in McIntyre modified. A customer printing an image from home (note col. 8 lines 48-49), would have been highly desirable feature in the field of photography due to its clarity functions and McIntyre modified recognizes printing an image from home would be expected when the customer receives high-resolution image of McIntyre modified is substituted in McIntyre and Schaeffer.

Regarding claim 30 McIntyre, Schaeffer and Haeberli discloses,

Digitally processing said second digital image data subsequent to reception by said cell phone (note McIntyre fig. 1 block 30 and 20, and col. 4 lines 1-5, 18-28 and 44-49, photo processing lab process image data, this is all done before digital image is transmitted within photo processing lab scanned image (34) is stored in computer (46) for further processing).

Regarding claim 36 McIntyre, Schaeffer and Haeberli discloses,

Placing an interactive display on said visual display screen allowing a user to interact with said display (note Schaeffer col. 3 lines 27-30 and col. 4 lines 65-67, the applicant is broad on how an interactive display is placed on a screen, the examiner interpret a cell phone interacting with the user to read on the claims, thus, a user reading, viewing and sending messages from the information on the display screen, as the user interacting with a display).

Regarding claim 37 McIntyre, Schaeffer and Haeberli discloses,

Wherein said interactive display provides said user with the ability to order prints of said image via said cellular phone (note Schaeffer, col. 3 lines 13-15, 27-28, col. 4 lines 5-10 and 39-40, user instructs (orders) image to print based on his interaction with display functions from the cell phone).

8. Claims 5, 9, 25 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre, Schaeffer and Haeberli in further view of Helferich.

Regarding claim 5 McIntyre, Schaeffer and Haeberli does not disclose expressly forwarding said digital image from a first user of said first cell phone to a second user of a second cell phone. Helferich discloses forwarding message and attachment (data) to from a cellular phone to another cellular phone (note col. 8 lines 1-8 and 13-16).

McIntyre, Schaeffer, Haeberli and Helferich are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile to mobile messaging in the system of McIntyre,

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Schaeffer and Haeberli. Two way emailing with various addresses would have been a highly desirable feature in the communication art due to its path functions and Helferich recognizes that two messaging to various addresses would be expected when mobile to mobile messaging is included in McIntyre, Schaeffer and Haeberli.

Regarding claim 9 McIntyre, Schaeffer and Haeberli do not disclose expressly forwarding said digital image from a first user of said first cell phone to a network computer. Helferich discloses forwarding message and attachment (data) to from a cellular phone to a network computer (note col. 8 lines 1-8 and 13-15, examiner interprets a computer with internet access as a network computer). McIntyre, Schaeffer, Haeberli and Helferich are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile to computer messaging in the system of McIntyre, Schaeffer and Haeberli. Two way emailing with various addresses would have been a highly desirable feature in the communication art due to its path functions and Helferich recognizes that two way messaging to various addresses would be expected when mobile to computer messaging is included in McIntyre, Schaeffer and Haeberli.

Regarding claim 25 McIntyre, Schaeffer and Haeberli do not disclose expressly forwarding said second digital image from a first user of said first device to a second user of a second device. Helferich discloses forwarding (data) from a cellular phone to another cellular phone (note col. 8 lines 1-8 and 13-16). McIntyre, Schaeffer, Haeberli

and Helferich are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile device to mobile device messaging in the system of McIntyre, Schaeffer and Haeberli. Two way emailing, with various addresses would have been a highly desirable feature in the communication art due to its path functions and Helferich recognizes that two way messaging to various addresses would be expected when mobile to mobile messaging is included in McIntyre, Schaeffer and Haeberli.

Regarding claim 29 McIntyre, Schaeffer and Haeberli do not disclose expressly forwarding said second digital image from a first user of said first cell phone to a network computer. Helferich discloses forwarding message and attachment (data) to from a portable device to a network computer (note col. 8 lines 1-8 and 13-15, examiner interprets a computer with internet access as a network computer). McIntyre, Schaeffer, Haeberli and Helferich are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include mobile to computer messaging in the system of McIntyre, Schaeffer and Haeberli. Two way emailing with various addresses would have been a highly desirable feature in the communication art due to its path functions and Helferich recognizes that two way messaging to various addresses would be expected when mobile to computer messaging is included in McIntyre, Schaeffer and Haeberli.

9. Claims 8,11-12, 28 and 31-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over McIntyre and Schaeffer in further view of Kung et al (6,570,583).

Regarding claim 8 McIntyre modified, Schaeffer and Haeberli discloses viewing high-resolution image on a visual display (cell-phone display). However, McIntyre modified, Schaeffer and Haeberli do not disclose expressly zooming displayed image on a cell phone. Kung discloses zooming a displayed image on a cell phone (note fig. 4 block 48, zoom control and col. 3 line 50-52 and col. 4 lines 8-10, cell phone zoom in and zoom out). McIntyre modified, Schaeffer, Haeberli and Kung are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a zoom control in the system of McIntyre modified, Schaeffer and Haeberli. Providing a user a choice to see more information or view an image with more detail in a display (note col. 2 lines 15-20) would be highly desirable feature in a wireless device display due to its control functions and Kung recognizes that provide a user with visual choice would be expected when the zoom control of Kung is included in McIntyre modified, Schaeffer and Haeberli.

Regarding claim 11 McIntyre, Schaeffer and Haeberli discloses,

Cell phone display wherein the selection in the display automatically causes said first cell phone to be communicatively connected with service facility (note Schaeffer col. 3 lines 27-29 and col. 4 lines 64-67, shows a communication link between cell phone and laboratory facilitated by interaction with cell phone display screen, cell phone sending order instruction causes an automatic communication with service facility),

wherein facility performs said developing and said scanning and said transmitting (note Schaeffer processing lab col. 2 lines 14-18 and 24-32, performs developing and scanning and sends to server for transmitting).

McIntyre and Schaeffer does not disclose expressly cell phone displaying an icon for selection. However, Kung discloses iconic information for selection (note fig. 4 block 33 and col. 3 line 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to use cellular phone with iconic features in place of a generic cell phone of McIntyre and Schaeffer. Informing a user which number will be called (note col. 3 lines 25-26) would have been a highly desirable feature when communicating using a cell phone and Kung recognizes informing the user which number will be called would be expected when the icon information for selection of Kung is substituted for the generic cell phone.

Regarding claim 12 McIntyre, Schaeffer, Haeberli and Kung discloses,

An instruction is sent to a computer at said service facility that a customer's job data be placed on a computer monitor screen (note McIntyre, col. 8 lines 14-30 examiner interprets the retailer as service facility, instructions are sent to the computer or the retailer (22) placing customer's job data on computer monitor screen).

Regarding claim 28 McIntyre modified, Schaeffer and Haeberli discloses,

Viewing high-resolution image on a visual display (cell-phone display). However, McIntyre modified, Schaeffer and Haeberli do not disclose expressly zooming displayed

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image on a cell phone. Kung discloses zooming a displayed image on a cell phone (note fig. 4 block 48, zoom control and col. 3 line 50-52 and col. 4 lines 8-10, cell phone zoom in and zoom out). McIntyre modified, Schaeffer Haeberli and Kung are combinable because they are from analogous art. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to include a zoom control in the system of McIntyre modified, Schaeffer and Haeberli. Providing a user a choice to see more information or view an image with more detail in a display (note col. 2 lines 15-20) would be highly desirable feature in a wireless device display due to its control functions and Kung recognizes that provide a user with visual choice would be expected when the zoom control of Kung is included in McIntyre modified, Schaeffer and Haeberli.

Regarding claim 31 McIntyre, Schaeffer and Haeberli discloses,

Cell phone display wherein the selection in the first device display automatically causes said first cell phone to be communicatively connected with service facility (note Schaeffer col. 3 lines 27-29 and col. 4 lines 64-67, shows a communication link between cell phone and laboratory facilitated by interaction with cell phone display screen, cell phone sending order instruction causes an automatic communication with service facility), wherein facility performs said developing and said scanning and said transmitting (note Schaeffer processing lab col. 2 lines 14-18 and 24-32, performs developing and scanning and sends to server for transmitting).

McIntyre, Schaeffer and Haeberli do not disclose expressly first device display, displaying an icon for selection. However, Kung discloses iconic information for

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selection (note fig. 4 block 33 and col. 3 line 3). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to use cellular phone with iconic features in place of a generic cell phone of McIntyre, Schaeffer and Haeberli. Informing a user which number will be called (note col. 3 lines 25-26) would have been a highly desirable feature when communicating using a cell phone and Kung recognizes informing the user which number will be called would be expected when the icon information for selection of Kung is substituted for the generic cell phone.

Regarding claim 32 McIntyre, Schaeffer Haeberli and Kung discloses,

An instruction is sent to a computer at said service facility that a customer's job data be placed on a computer monitor screen (note McIntyre, col. 8 lines 14-30 examiner interprets the retailer as service facility, instructions are sent to the computer or the retailer (22) placing customer's job data on computer monitor screen).

Regarding claims 33 McIntyre, Schaeffer, Haeberli and Kung discloses,

Wherein said computer may have programmed therein billing information of said customer (note McIntyre col. 4 lines 55-57 and col. 5 lines 8-12, 24-25, customer credit card information is provided and billing is done by a computer, thus computer may have programmed billing information of said customer).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory M. Desire whose telephone number is (571) 272-7449. The examiner can normally be reached on M-F (6:30-3:00).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory M. Desire
Examiner
Art Unit 2627

G.D.
December 10, 2005


BHAVESH M. MEHTA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000